

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Clint Chapple, et al
Serial No.: 10/556,014
371(c) File Date: 07 November 2005
Entitled: REF1 Modified Plants and Plant Seeds

Group No.:
Examiner:



**RESPONSE TO NOTIFICATION OF
MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED
OFFICE (DO/EO/US) MAILED 06/28/2006**

MAIL STOP MISSING PARTS

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: **Mail Stop Missing Parts**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 30, 2006By: 

Jennifer B. Xistris

Sir or Madam:

In response to the Notification Of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US) mailed 06/28/2006 (a copy of which is enclosed), applicant(s) submit(s) the following documents:

- Executed Declaration or Oath;
- An Assignment document for recording, whereby the subject application and the invention disclosed therein is assigned to: Purdue Research Foundation; and a Recordation Form Cover Sheet – Patents Only (Form PTO-1595);
- Power Of Attorney By Assignee;
- Request for Extension of Time for filing within the second month;
- Preliminary Amendment and Response;
- Certificate Re: Sequence Listing;
- Sequence Listing in paper copy and on a computer-readable diskette;

A check in the amount of **\$330.00** is enclosed herewith to cover:

\$65.00 Surcharge for filing missing parts of an application
\$40.00 Assignment Recordation Fee
\$225.00 Fee for filing a two-month extension of time

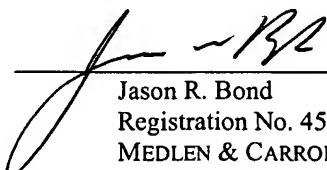
The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s), and/or credit any overpayment, to **Deposit Account No. 08-1290**. An originally executed duplicate of this transmittal is enclosed for this purpose.

Date: October 30, 2006

11/07/2006 ATRAN1 00000122 10556014

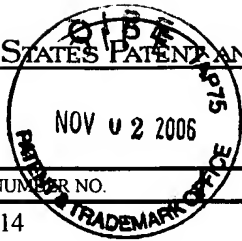
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UNITED STATES PATENT AND TRADEMARK OFFICE

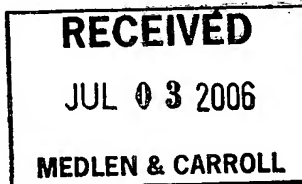


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MAD

U.S. APPLICATION NUMBER NO. 10/556,014	FIRST NAMED APPLICANT Clint Chapple	ATTY. DOCKET NO. PRF-10329
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INTERNATIONAL APPLICATION NO. PCT/US04/14489	
I.A. FILING DATE 05/07/2004	PRIORITY DATE 05/07/2003

CONFIRMATION NO. 2901
 371 FORMALITIES LETTER



OC000000019410298

Date Mailed: 06/28/2006

Resp. 8/28/06 RCO

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 11/07/2005
- U.S. Basic National Fees filed on 11/07/2005
- Priority Documents filed on 11/07/2005
- Specification filed on 11/07/2005
- Claims filed on 11/07/2005
- Abstracts filed on 11/07/2005
- Drawings filed on 11/07/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65 Surcharge.**

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.

10/556,014

INTERNATIONAL APPLICATION NO.

PCT/US04/14489

ATTY. DOCKET NO.

PRF-10329

FORM PCT/DO/EO/905 (371 Formalities Notice)